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June 29, 2006

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Via Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Room TW-A325
Washington, DC 20554

**Re: Request for Waiver of the July 1, 2006
Replication/Maximization Interference Protection Deadline
WMYA-DT, Anderson, South Carolina (FIN #56548)
MB Docket No. 03-15**

Dear Ms. Dortch:

On behalf of Anderson (WFBC-TV) Licensee, Inc. ("Anderson Licensee"), licensee of television broadcast station WMYA-TV (formerly, WBSC-DT), Channel 40 and permittee of digital television station WMYA-DT, Channel 14, Anderson, South Carolina, this letter is to request a waiver of the July 1, 2006 replication/maximization interference protection deadline. This request is being filed pursuant to the FCC's Public Notice, DA 06-1255, released June 14, 2006. Anderson Licensee is committed to serving WMYA-DT's full maximized service area. As demonstrated below, however, full construction of the station's maximized facilities cannot be accomplished without replacement of the station's current tower at huge expense and a loss of existing analog service during the construction. Accordingly, a waiver is warranted in this case, pending action on a construction permit application to construct facilities equivalent to maximized facilities.

Anderson Licensee has submitted a request for modification and extension of Special Temporary Authority ("STA"), which requests authority to operate WMYA-DT at the power authorized in its outstanding construction permit (FCC File No. BPCDT-

19991109ACE), but with a different antenna and at a slightly lower antenna height.^{1/} Specifically, the station's outstanding construction permit authorizes operation at 310 kilowatts effective radiated power ("ERP"), with a Dielectric directional antenna, model TFU-29JTT T200 located at a height above average terrain ("HAAT") of 311.0 meters. By contrast, the STA proposes operation at 310 kilowatts ERP, with a Dielectric directional antenna, model TFU-16DSC-R T200SP located at a HAAT of 286.6 meters. The STA facilities will serve a population of 1,348,952 people in an area of 19,750 square kilometers, while the facilities authorized in the licensee's construction permit will serve 1,377,875 people in an area of 20,860 square kilometers. *See* attached Engineering Exhibit. Thus, the STA facilities serve approximately 98% of WMYA-DT's maximized service area.

Anderson Licensee is committed to serving the full maximized service area with the WMYA-DT facilities. The licensee, however, has determined that the authorized tower, which also holds the antenna for the analog station, is incapable of supporting a T-bar mount. Such a mount would have permitted both the analog and digital antennas to be top mounted. However, because of tower restrictions, a side-mounted antenna must be utilized. Moreover, due to the distance between the channels allotted to the analog and digital facilities (WMYA-TV is located on Channel 40, while WMYA-DT is located on Channel 14), use of a dual channel antenna was not feasible. The licensee had originally sought to avoid this problem by specifying its Channel 40 for permanent digital operation in the first round channel election. However, that channel election was rejected by the Commission, which found that operation on Channel 40 by WMYA-DT would have caused impermissible interference to two other digital stations.^{2/} Accordingly, the licensee would have had to substantially reduce power in order to retain its NTSC election. Thus, the licensee's only remaining option for full compliance by the July 1, 2006 deadline consistent with the FCC's current rules would be to construct a new, stronger tower capable of supporting a T-bar mount for both the analog and digital antennas. The licensee has determined that the cost of such construction would be at least \$4 million. In addition, current viewers would lose service during construction.

^{1/} *See* Request for Modification and Extension of Special Temporary Authority, filed June 22, 2006.

^{2/} *See* Letter to Anderson Licensee re WBSC First Round Channel Election Application, File No. BFRECT-20050209AKR, from Clay C. Pendarvis, Associate Chief, Video Division, Media Bureau, dated June 7, 2005.

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Accordingly, the only feasible option for expeditious commencement of service to the full WMYA-DT maximized service area would be to increase the station's ERP to a sufficient level to compensate for the unavoidable reduction in HAAT. Concurrently herewith, the licensee is filing an application for minor modification of the digital construction permit to specify an ERP of 430 kilowatts with the current antenna at 286.6 meters in order to accomplish this goal. This application requests waiver of the current freeze on the filing of requests for certain changes to existing DTV service areas.^{3/} As set forth therein, waiver of the freeze is in the public interest as it will permit all viewers who currently receive service from WMYA-TV to continue to receive such service at the close of the digital transition. Should that application be granted, Anderson Licensee could immediately come into compliance with the "use-or-lose" deadline and no further waiver would be necessary.

For the foregoing reasons, Anderson Licensee submits that good cause exists to grant the instant waiver request. Favorable action on the STA will authorize the licensee to serve approximately 98% of its maximized service area. Moreover, the licensee is diligently pursuing all avenues to fully expand service to the entire area.

Should there be any questions regarding this matter, please contact the undersigned.

Respectfully submitted,

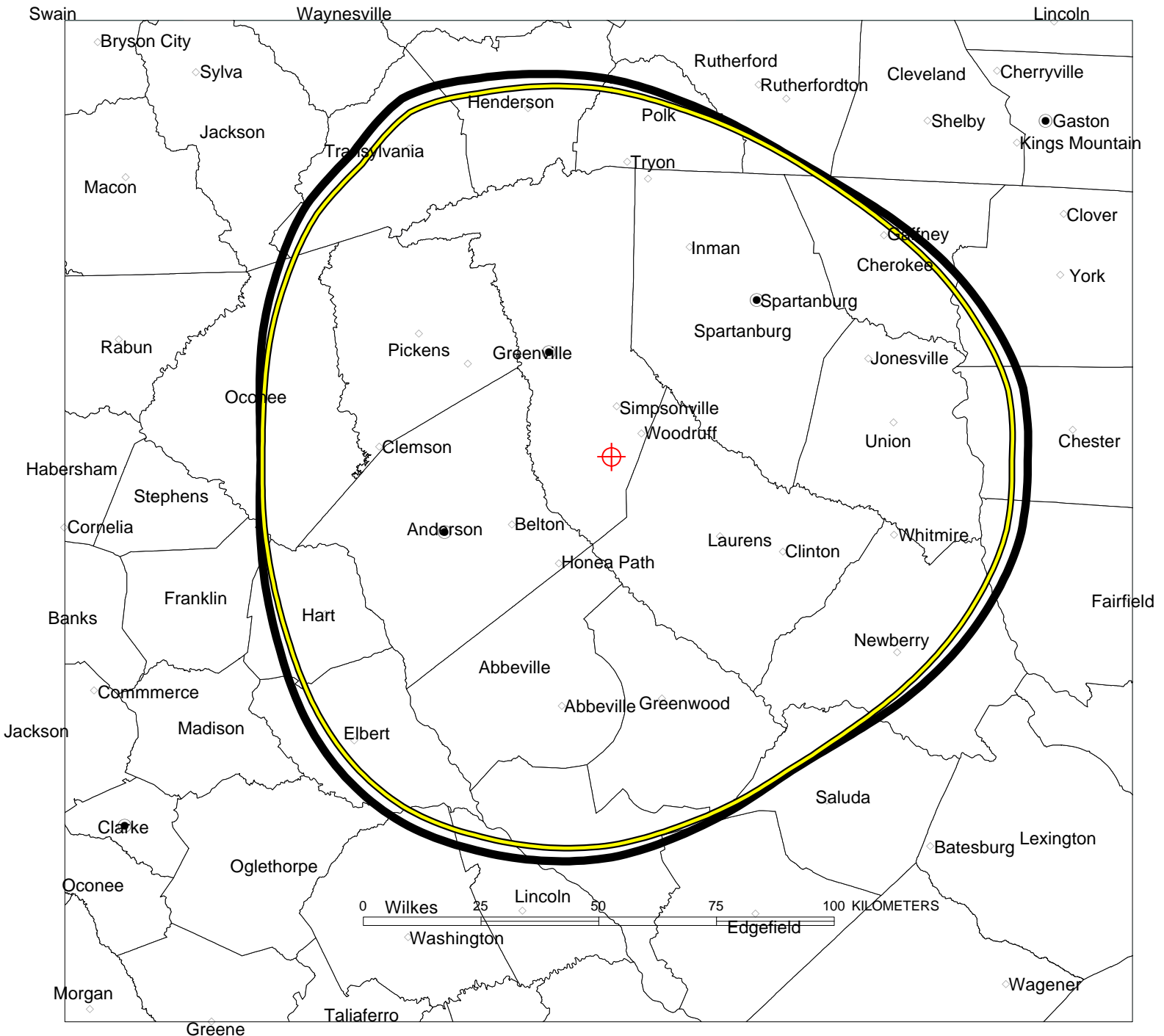


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cc: Shaun Maher, FCC

535800-0000006

^{3/} See Public Notice, Freeze on the Filing of Certain TV and DTV Requests for Allotment or Service Area Changes, DA 04-2446, released August 3, 2004.



WBSC-DT, Anderson, South Carolina

*Comparison of Coverage Contours
June, 2006*



WBSC-DT Construction Permit Facility
310 kW ERP; 311.0 m HAAT;
Dielectric TFU-29JTT T200
Population = 1,377,875 Area = 20,860 km²



WBSC-DT Modified STA Facility
310 kW ERP; 286.6 m HAAT;
Dielectric TFU-16DSC-R T200SP
Population = 1,348,952 Area = 19,750 km²

**CARL T. JONES
CORPORATION**